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ABSTRACT

The formalization of family wineries (VFs) has historically been hampered by the lack of adaptation of health, environmental, and tax legislation to the reality of family agro-industries. In 2014, Law 12.959/14, the so-called "Colonial Wine Law", created more suitable conditions for the registration of family wineries. In 2018, this context was expanded through the implementation of Federal Complementary Law 1,255 of 2016 and tax adherence to Simples Nacional. Given this context, the objective of this study was to evaluate the formalization of family wineries based on the analysis of wineries registered in the territory of Vale dos Vinhedos, in Serra Gaúcha. The study, of an exploratory nature and qualitative approach, was based on documental research, landscape reading and information collected in semi-structured interviews, carried out with VFs owners in 2023. actors the difference between colonial wineries and family wineries, the obstacles, bottlenecks and solutions adopted in the registration process of these establishments. The study made it possible to get to know and characterize family farming in the territory, the difference between colonial wineries and family wineries, the obstacles, bottlenecks, and solutions adopted in the process of registering these establishments. The legalization of the VFs in the Vale dos Vinhedos has promoted the aggregation of income in viticulture, the return or permanence of young people in the countryside, and increased tourism in the region, consolidating existing public policies for the sector and strengthening associations.

Keywords: Family Farming. Family Agribusiness. Artisan Winery. Colonial Wines. Craft Wines.

RESUMO

A formalização das vinícolas familiares (VFs) foi, historicamente, dificultada pela falta de adequação da legislação sanitária, ambiental e tributária à realidade das agroindústrias familiares. No ano de 2014, com a Lei 12.959/14, a chamada “Lei do Vinho Colonial”, foram criadas condições mais adequadas para o registro das VFs. Em 2018, esse contexto foi ampliado através da implementação da Lei Complementar Federal 1.255 de 2016 e adesão tributária ao Simples Nacional. Dado esse contexto, o objetivo deste estudo foi avaliar a formalização das vinícolas familiares a partir da análise das vinícolas registradas no território do Vale dos Vinhedos, na Serra Gaúcha. O estudo, de natureza exploratória e abordagem qualitativa, teve como base a pesquisa documental, a leitura da paisagem e as informações coletadas em entrevistas semiestruturadas, realizadas com os proprietários das VFs em 2023. O estudo permitiu conhecer e caracterizar a agricultura familiar do território, bem como o percurso dos atores e a diferença entre vinícolas coloniais e vinícolas familiares, os entraves, gargalos e soluções adotadas no processo de registro desses estabelecimentos. A legalização das VFs do Vale dos Vinhedos promoveu a agregação de renda na vitivinicultura, o retorno ou a permanência do jovem no campo e incrementou o turismo na região, consolidando políticas públicas existentes para o setor, fortalecendo o associativismo.

Palavras-chaves: Agricultura Familiar. Agroindústria Familiar. Vinícola Artesanal. Vinhos Coloniais. Vinhos Artesanais.

INTRODUCTION

The growing interest in wine consumption and the culture associated with it has expanded the market through wine tourism (Locks; Tonini, 2005). Tourist routes are created and improved, as is the case of Vale dos Vinhedos (Falcade, 2004), Serra Gaúcha, Rio Grande do Sul (RS), Brazil, a place that includes wineries that are growing in terms of quality, investment, professionalism and recognition by consumers and critics, leveraged by wine zoning that has contributed to improving the connection between the productive sector and consumers (Tonietto et al., 2012a). This market is still growing, linked to the appeal of health benefits, associated with the high phenolic content and good sources of antioxidants in colonial wines from Rio Grande do Sul and Paraná (Gonzeli; Sartori, 2014).

Despite the growing demand and appreciation, the sector faces problems related to the formalization of wineries, especially family-owned ones. Non-formalized wine production is present in 8,103 family properties in Brazil, with 6,358 of them concentrated in RS (IBGE, 2017a), representing a potential for development and qualification of this segment.



To formalize these establishments, winegrowers face a dilemma. On the one hand, the formalization process to comply with legal requirements requires adaptations to the physical facilities of existing rural wineries, financial investment and planning. On the other hand, formalization brings benefits in terms of quality, standardization and greater commercial and expansion potential (Bet; Cabral, 2018). The experience of formalizing family wineries in Bento Gonçalves, together with technical monitoring (Emater/Ascar-BG, 2021a), for example, improved the quality of products and family succession rates, adding value to the raw material.

However, formalization does not eliminate challenges for family winemakers. After the formalization process, family wineries face new issues as they start to compete in broader markets and need to develop competitive advantages over their competitors. An example of this is the difficulties related to the low bargaining power of these family wineries, individually, in terms of production inputs purchase, such as bottles and corks, among others, as well as in terms of promotion of their products in conventional markets. These challenges are present in this new market scenario and are mainly related to the management of these wineries (Hoffmann, 2018a).

Territories such as Vale dos Vinhedos are defined by their particularities and specificities. Benko and Pecqueur (2001) define territory as the habits and customs of a given culture with geographic proximity, involving all public and private actors in that location. According to Flores (2015a, 2015b), these specificities of Vale dos Vinhedos enabled the emergence of a differentiated terroir, which includes specific assets, such as the Geographical Indication (GI), regulated by the Industrial Protection Law (LPI), recognized as the Vale dos Vinhedos Denomination of Origin (DO). According to Tonietto et al. (2012b), these characteristics contribute to promoting the products and attracting visitors, establishing a relationship of trust between the producer and the consumer.

Considering the territory covered in this study, it is worth highlighting that the family wineries in the municipality of Bento Gonçalves are included in the State Program for Family Agroindustry (PEAF) and the Municipal Program for Family Agroindustry, both with collective labels that attest to the regionality and prove the health of the products from these agro-industries, i.e., “Selo Sabor Gaúcho” and “Selo Sabor de Bento. The other municipalities of Vale dos Vinhedos, Garibaldi and Monte Belo do Sul, do not have specific programs for family agro-industries, which are guided,



organized and monitored by PEAf..

In this context, this study evaluates the impact of the implementation of the new legislation regarding family wineries, focusing on formalized wineries in Vale dos Vinhedos. To this end, the current situation of all family wineries registered with MAPA (Ministry of Agriculture, Livestock and Food Supply) - nine until March 2023 - in the territory of Vale dos Vinhedos, in Serra Gaúcha, were analyzed, as well as the impact on families after the legalization of these wineries. The focus of the study was to portray each case of these wineries, identifying the impacts on families, society and the wine sector, with their potential and demands. This work also aims to assist research in this area and contribute to the scientific community. The selection of the studied territory, the family wineries of Vale dos Vinhedos, was due to the local concentration of these wineries, territorial proximity, typical identity, beliefs and customs.

Wine tourism and wine culture play an important role in regional and territorial development, especially in rural areas. The creation and improvement of tourist routes, such as Vale dos Vinhedos, promote tourism and attract visitors, but also encourage investment in local infrastructure, such as hotels, restaurants and other hospitality services. These investments generate local jobs, diversify the economy and promote sustainable growth in rural communities (Flores, 2015a, 2015b; Tonietto et al., 2012b).

Furthermore, the formalization of family wineries improves the quality of products and standardizes production processes, thereby increasing the competitiveness of local wines in the national and international markets (Bet; Cabral, 2018). This competitiveness promotes the appreciation of local products, encourages increased production and strengthens the cultural identity of the region (Flores, 2015a, 2015b). Programs such as the State Family Agroindustry Program (PEAF) and the Sabor Gaúcho label help to guarantee the quality and health of products, increasing consumer confidence and the development of family agroindustries (Emater/Ascar-BG, 2021a).

The positive impact of the formalization of wineries and the development of wine tourism is directly reflected in the improvement of the living conditions of the families involved, the preservation of cultural heritage and the promotion of a more diversified and resilient local economy (Emater/Ascar-BG, 2021a). These elements are central to regional development, as they promote social cohesion, the appreciation of local traditions and the integration of rural communities into the global market.



BACKGROUND

The background of this study is structured around themes related to family farmers, agro-industries and family wineries and their formalizing process, considering the legal, sanitary, environmental and fiscal aspects. The aim was to conduct a national and international bibliographic and documentary review, but focused on family wineries in Brazil.

TERRITORIAL DEVELOPMENT

Development is directly related to people, who may have diverse interests and benefits, and to natural resources, which may be finite and exhaustible. Thus, every development project is local, as it is consolidated in a given territory, involving all the actors and resources present in that territory, but based on public policies that can be local, municipal, state or federal. Therefore, territories may have endogenous or exogenous actions in the conception of their territoriality and territorialization (Fauré; Hasenclever, 2007).

The development of family farming, especially family wineries in the region, requires joint strategic reflection that values intangible factors such as informal ties, trust, and non-commercial modes of interaction, which identify the identity of social actors (Abramovay, 2003). Social interaction between the actors involved in these contexts enables the exchange of knowledge, generating a learning dynamic that is essential for innovation in products and processes (Pecqueur, 2005).

The territorial development process, according to Pecqueur (2000), must comply with three basic conditions: capacities to innovate, adapt and regulate, resulting from the joint planning and organization of formal and informal actors. According to Fauré and Hasenclever (2007), local development is based on three factors: a) endogeneity, which refers to the resources existing in that location, whether material or immaterial and which may or may not be being used; b) territoriality, which considers human action in that geographic space, with its initiatives and interrelations and which create an interpersonal and local relationship differentiated from other locations; and c) institutions, which have a set of relationships based on values and beliefs, forming “social capital”, which encompasses factors such as culture, language, religiosity, among others, in addition to existing associative or organizational forms.



According to Fauré and Hasenclever (2007), the globalization of the economy and global relations provide opportunities for consolidated territories to access the global market, whether for products, services, or other products, resulting in local development. In addition, there are other factors, such as institutional decentralization, which increases local public investment and demands from civil society regarding the responsibility of public investment in localities (Fauré; Hasenclever, 2007).

Moreover, the development of a territory is directly linked to its territorial resources and assets and to proactive initiatives, which involves local agents or interested parties, including volunteers from the public and/or private sectors (Flores; Medeiros, 2013). In order to generate this local development, many opportunities for innovation in productive, social, environmental and industrial arrangements will arise, and integrating these opportunities with the academic, scientific and extension sectors is fundamental the development of feasible solutions, aligned with the potential and the specificity of each location (Fauré; Hasenclever, 2007).

Knowing the territory, its assets and resources, understanding the form of territorialization, its movements, heterogeneity, potential, geographic space, weaknesses, social and political organization are fundamental pieces for proposing territorial development projects in a fairer and more inclusive way (Saquet, 2006). According to Flores and Medeiros (2018), the territorial approach must be strategic and involve all local actors, private and public, and take into account territorial resources and assets, in order to jointly produce innovative and income-generating solutions that are socially sustainable and fair.

The development of a territory in a rural area, as is the case of Vale dos Vinhedos, involves the remodeling of the entire primary sector. Innovation in terms of developing new products, brands, access to new technologies and new markets with a differentiated consumer market, in addition to qualifying products and remodeling agriculture at the regional level of the rural economy as a whole, implies activating the identified resources, with the support of all actors, whether private or public, with the promotion of sectorized and localized public policies (Kageyama, 2006).



AGRICULTURE AND FAMILY AGRICULTURE

The artisanal processing of agricultural produce is a striking feature of family agribusiness, which preserves its own production, traditional knowledge and, often, the natural characteristics of the products produced. In Serra Gaúcha, family farming plays a significant role, occupying the majority of rural properties (IBGE, 2017b). This region is recognized as the main producer of grapes and their derivatives in the state (SEAPDR, 2022). Wine production in the region is a testament to the success of Italian immigrants, reflecting on the economic development of the area, in addition to being associated with the characteristic landscape, where vineyards play a central role in tourism and local promotion (Flores et al., 2014).

Vineyards and wine production have deep roots in the culture of Italian immigrants who colonized Serra Gaúcha (Hoffmann, 2018b). Grapevine cultivation was an intrinsic part of the habits of Italian immigrants, who initially produced wines primarily for family consumption (Taffarel, 2013). The practice of consuming wine during meals was introduced with Italian culture and played a crucial role in the expansion of winemaking in Rio Grande do Sul (Flores et al., 2014).

For decades, family farming in the region was initially conducted for subsistence and surplus exchange (Schneider, 2006a). Over time, due to agricultural pluri-activity and to the commercialization increasing in social and economic life, family artisanal production began to generate additional income, and artisanal processing of crops became a significant source of income aggregation.

However, family farming in Brazil faces several challenges, as highlighted in the study conducted by Breitenbach and Troian (2020a). These challenges include low competitiveness due to reduced production scale, limited access to technology and information, rudimentary management practices, and limited access to subsidized credit lines and other public policies. This reality has contributed to the rural exodus, the aging of the rural population, and the predominance of men in the sector.

To address these challenges, families must have access to public policies that support the addition of value to their production, especially for family succession processes (Emater/RS-Ascar, 2021b). Public support initiatives for the establishment of family farming, such as PEAf and Pronaf, have played a positive role in the ability of these families to access the market (SEAPDR, 2022).



LEGAL DEFINITIONS AND SOCIOECONOMIC CONTEXT

The legislation about family farmers (FF) dates back to 1997, which establishes some criteria. According to Bruch et al. (2014a p.06), its first definition occurred in Law No. 9,456, of April 25, 1997, which deals with the protection of cultivars. This law, specifically, sought to limit the holder of the intellectual property right to the possibility of charging royalties, in certain cases from small rural producers.

Later, a specific law was created for the FF, Law No. 11,326, of July 24, 2006, which defines the FF or Family Entrepreneur (EF) as those families that present the following conditions:

I - do not hold, under any title, an area larger than 4 (four) fiscal modules; II - predominantly use labor from their own family in the economic activities of the establishment or enterprise; III - have a minimum percentage of family income originating from economic activities of his establishment or enterprise, as defined by the Executive Authority; IV - manage his establishment or family enterprise with his family" (BRAZIL, Law 11,326, 2006).

In order for farmers to access public policies, such as PRONAF, and participate in the State and Municipal Family Agriculture Programs, among other benefits, they must have a document from the Federal Government that certifies their status as an FF. This document is called the Declaration of Eligibility for PRONAF - DAP (ORDINANCE 524, of August 24, 2018) and currently characterizes the AF as follows:

I - own, in any legal title, an area of up to 4 (four) tax modules; II - use at least half of the family workforce in the production and income generation process; III - earn at least half of the family income from economic activities of their establishment or enterprise; and IV - be the management of the establishment or enterprise strictly family-owned" (BRAZIL, Ordinance 524, 2018).

Decree No. 9,064 of May 31, 2017 (amended by Decree No. 10,688 of April 26, 2021) instituted the Family Farming Registry (CAF); however, it was through Ordinance No. 242 of November 8, 2021 (amended by Ordinance No. 293 of December 19, 2022), of the Secretariat of Family Farming and Cooperatives, that the general conditions and procedures for the management and registration of the registry were operationalized. Thus, in November 2022, CAFs began to be operationalized in Brazil, taking into account the classification previously presented. The FF, having requested the CAF, can access the public policies of the State of RS, which encourages small farmers in several ways, including inclusion in the State Family Agro-industry Program (PEAF).



STATE FAMILY AGRO-INDUSTRY PROGRAM (PEAF).

Law No. 13,921, of January 17, 2012, instituted the state policy for Family Agroindustry, and Decree No. 49,341, of July 5, 2012, created the State Program for Family Agro-industry (PEAF), also (re)instituted the Sabor Gaúcho label. The PEAf is a Government Program, linked to the State Secretariat for Rural Development (SDR) and implemented by Emater/RS-Ascar in practically all municipalities in RS. Besides adding value to family agricultural production, the production manufacturing indicates young people returning to and remaining in the countryside, being an example of a public policy that can generate family succession (Emater/RS-Ascar, 2021c).

The PEAf has established itself as a fundamental public policy for generating income for rural families and improving the quality of both the workforce and the products produced by family businesses. A notable feature of the program is the support it offers to family agribusinesses in their participation in fairs and events, exempting them from registration fees and providing the promotion and direct sale of family farming products to consumers.

Another relevant aspect in the context of agribusiness is the “Sabor Gaúcho” label. This label indicates that the agro-industry comes from family farming and is duly regularized in environmental, tax and health terms in accordance with the PEAf guidelines. The seal was established in 1999 by the government of RS and, later, in 2012, its regulation was reinforced by Decree 49.341/2012.

THE TRAJECTORY OF THE ELABORATION OF THE COLONIAL WINE LAW

In 2010, the Bento Gonçalves Municipal Emater Office organized 83 family winemakers into five groups covering the districts of Pinto Bandeira, São Pedro, Vale dos Vinhedos, Faria Lemos and Tuiuty, with the aim of rescuing, valuing and qualifying the production of colonial wines (Emater/RS-Ascar, 2021d). That year, the themes worked on were related to qualification in grape production, with the holding of Field Afternoons in the five locations, according to the demand of each group, in addition to seeking to rescue local cuisine through the creation of the National Colonial Wine Festival, established in 2013.



All 83 participants in the Colonial Wine Groups (CWG) produced wines for family consumption, and in 2010, some expressed an interest in legalizing their production. Thus, in 2013, at the initiative of Emater/RS-Ascar, a Working Group (WG) was created with the intention of proposing the creation of specific legislation for FF, to the extent that until that date, the conditions for legalizing FFs were the same as those for large companies.

The following entities participated in the meeting: Emater, Embrapa Grape and Wine, ABE, STR-BG, SMDA, MAPA, SEAPI and Ibravin. It was decided that Embrapa would take over the coordination of the WG. The WG carried out bibliographic and documentary research on the existing legislation that addressed the registration of colonial wines in Latin America, as well as on Brazilian legislation on this subject (Emater/RS-Ascar, 2021e). Two bills were found to be under consideration in the Federal Chamber of Deputies, which dealt with the issue of registering colonial wineries. After several meetings and two public hearings (one in Bento Gonçalves and another in Brasília), a substitute bill was proposed, which contemplated the specificities of family farming (Hoffmann, 2018c).

Thus, on March 19, 2014, Law 12,959 (BRAZIL, 2014b) was enacted, the so-called “Colonial Wine Law”, which characterizes the product and creates conditions for registration. This law amends Law No. 7,678 of November 8, 1988 (BRAZIL, 1988a), and aims to classify wine produced by family farmers or rural family entrepreneurs, as well as define requirements and limits for its production and marketing and guidelines for the registration and inspection of the producing sites.

However, the enactment of this law ended up complicating the situation of family farmers, since it imposed restrictions on the production of colonial wine, limiting it to up to 20,000 liters per year, in addition to restricting its sale to the end consumer only. Worse still, the clause in the law that would allow the sale of wines and grape products with the producer’s receipt, resulting in a reduction in taxation, was vetoed on the recommendation of the Ministry of Finance.

However, there was a positive development with the publication of Normative Instruction No. 17 of the Ministry of Agriculture, Livestock and Supply (MAPA) on June 23, 2015. This instruction authorized the registration of wineries in the Individual Taxpayer Registry (CPF), eliminating the need to create a National Registry of Legal Entities (CNPJ). Therefore, if the family winery is registered with PEAf, it has the right to market its products using the producer’s card. This progress has encouraged



family farmers to begin the process of legalizing their wineries.

A Working Group (WG) dedicated to colonial wines, led by the Brazilian Wine Institute (Ibravin), played a significant role in establishing the “General requirements for facilities, equipment and good practices for enterprises classified as Colonial Wine”. These requirements are detailed in a booklet produced by this WG, entitled “Colonial wine: a guide for formalizing family farmers in the State of Rio Grande do Sul” (Wine, Embrapa Grape and Wine, 2019). The booklet is based on MAPA Normative Instruction 05/2000, which establishes the requirements for the installation of beverage production enterprises, including Good Manufacturing Practices. The collaboration between several entities related to the guidelines for the construction of wineries, registration and inspection of manufactured products led to the standardization of operational standards, leaving a valuable legacy for the formalization of these wineries.

FAMILY WINERIES AND LEGISLATION FOR FORMALIZATION

Figures from the Brazilian Institute of Planning and Taxation (IBPT, 2020) indicate that ICMS, IPI, COFINS, PIS and charges related to the production chain correspond to 54.73% of the price of traditional wine. From 2018, with the implementation of Federal Complementary Law 155, of October 27, 2016, wines from companies with average revenue were able to adhere to this simplified taxation system, which has rates that vary according to the sales value (Table 1).

Table 1 | Company turnover and tax rates

Total Gross Revenue in 12 months	Aliquot	Amount to deduct
Until R\$ 180,000.00	4%	0
R\$ 180,000.01 - R\$ 360,000.00	7.3%	R\$ 5,940.00
R\$ 360,000.01 - R\$ 720,000.00	9.5%	R\$ 13,860.00
R\$ 720,000.01 - R\$ 1,800,000.00	10.7%	R\$ 22,500.00

Source: Federal Complementary Law 155 of 2016, implemented in 2018.



Thus, after the Law, the tax issue, which was one of the biggest concerns for family winegrowers, began to present two registration options with MAPA, each with its own specific tax advantages. If the agribusiness is registered with MAPA with CPF and is included in PEAFF, it can sell its products with a producer receipt and will pay a social contribution of 1.5% on revenue. However, if you choose to register your family winery with MAPA by creating a CNPJ, you can choose to join Simples Nacional in tax terms, paying rates that vary according to your revenue, starting at 4%. Table 2 shows the main differences between wineries registered with MAPA with a CPF and those with a CNPJ.

Table 2 | Differences between wine products

Variables	Wine Law 7,678/88	Colonial Wine
Raw material	Healthy, fresh and ripe grapes	Healthy, fresh and ripe grapes
Production process	Fermentation, stabilization and bottling	Fermentation, stabilization and bottling
Equipments	According to the scale of production	According to the scale of production
Production (L)	According to the company's conditions	Until 20.000 L/year
Legal Base	Law 7,678/88 (Decree 8,198/14)	Same + Law 12,959/14 + IN 17 + IN 05 + PEAFF
Commercialization	Wide	Restricted to the end consumer
Attribute/Appeal	Health, quality	Health, quality, culture

Source: authors, 2022.

MATERIALS AND METHODS

The study was conducted with family wineries in Vale dos Vinhedos, located in Serra Gaúcha, which are duly registered and legalized with MAPA. Nine family wineries were selected for this research, which represents all the formalized wineries in Vale dos Vinhedos. These nine wineries include six family wineries from Bento Gonçalves, one from Monte Belo do Sul and two from Garibaldi, encompassing 100% of the family wineries registered in the PEAFF (State Program for Family Agroindustry) and registered with MAPA until March 2023. All information collected in the survey was coded, and the survey, questionnaires and information obtained will be treated confidentially.



The research was characterized as exploratory and adopted a qualitative approach with a cross-sectional design, as the collection of information and data took place between January 18 and April 4, 2023. The theoretical basis of the research was constructed through a bibliographic review and analysis of documents related to agriculture, agro-industries and family wineries, as well as public policies aimed at the wine sector. Topics related to territory, opportunities, threats and tax, environmental and fiscal legislation related to the installation of these wineries were also investigated.

Primary data collection, which included information on the history and structure of family wineries, as well as the specific resources and assets of the territory under study, was carried out through landscape observation and in-depth interviews. Semi-structured questionnaires containing open questions were applied and the Territorial Capital Panel (PCT) methodology was used with the help of the Radar Chart (Janin; Perron, 2020). The questions were grouped into blocks and formulated based on the theoretical framework on the topic. This stage was carried out with the trust and collaboration of the research participants.

The subsequent phase involved the collection of secondary data, which included the organization of the information collected, the enrichment of the theoretical basis of the work through bibliographic and documentary research. This stage played a fundamental role in validating the information obtained in the study, highlighting potential and seeking solutions for the weaknesses identified.

RESULTS AND DISCUSSION

The results and discussions of the research will be presented below. The data were organized according to the blocks that made up the questionnaire and the objectives of this study. The text begins with a description of family wineries, followed by the history and current situation of these wineries, including their motivations and demands. Next, a strategic analysis of the sector is carried out, addressing the impacts and planning for the development of networking among family wineries, with a focus on the valorization of territorial resources and the search for sector competitiveness.



WINERIES AND FAMILY FARMERS HISTORY

Italian immigration to Serra Gaúcha began in 1875, and in March 1876, the President of the State, José Antonio de Azevedo Castro, announced the existence of 348 measured and demarcated lots and a population of 790 people, 729 of whom were Italian (Prefeitura de Bento Gonçalves, 2023). The first groups of Italian immigrants arrived on December 31, 1876 and January 31, 1877, colonizing the territory now known as Vale dos Vinhedos (Manfroi et al., 2022).

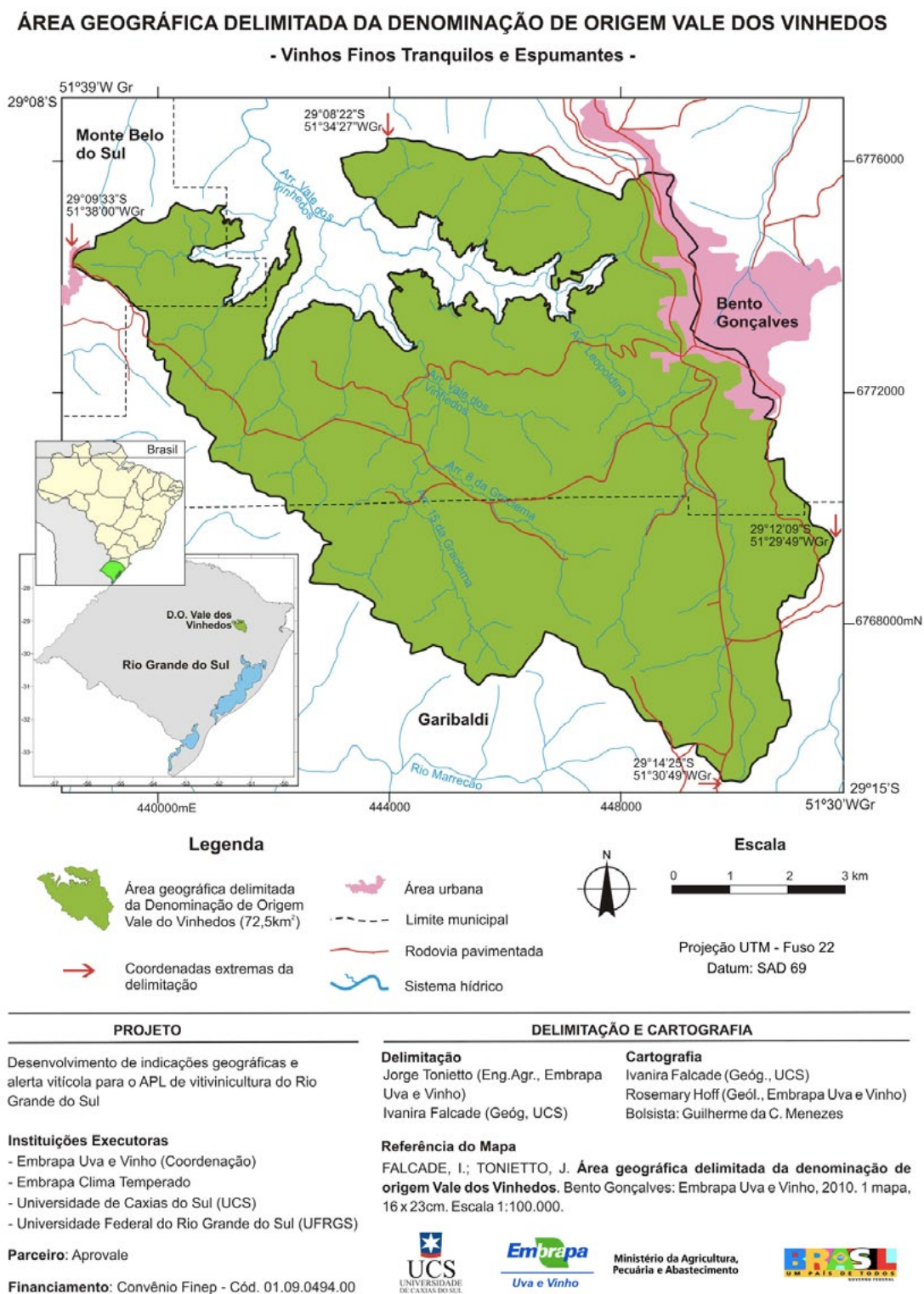
All wine and grape derivatives produced by Italian immigrants were made in wooden barrels, usually made of grápia, pine or angico. The sugar content was adjusted according to the knowledge of these immigrants, without appropriate equipment for measuring Brix or Babo degrees. The use of products to preserve wines was practically non-existent, as sulfur dioxide was not available. In interviews, it was often said that their ancestors would start by “drinking wine and end up drinking vinegar”, due to the lack of conservation and adequate packaging.

A produção agrícola para subsistência dos imigrantes levou à produção de inúmeros produtos semiprocessados ou processados, como geleias, chimias, salame, queijo, nata, pão, entre outros. Esse costume é mantido e praticado em todas as propriedades familiares e, em algumas delas, esses produtos são oferecidos e vendidos aos visitantes do Vale dos Vinhedos.

For the present study, the area of Vale dos Vinhedos considered is that delimited and recognized as a Denomination of Origin for the production of fine wines and sparkling wines, which covers part of the municipalities of Bento Gonçalves, Garibaldi and Monte Belo do Sul, in Serra Gaúcha (Figure 1). Vale dos Vinhedos was Brazil’s first Geographical Indication, recognized as an Indication of Origin in 2002 and, later, as a Denomination of Origin in 2012. The Geographical Indication process was an important vector for the valorization and recognition of territorial resources, contributing especially to the development of wine tourism as a way of adding territorial value (Falcade, 2004; Flores et al., 2014).



Figure 1 | Delimitation of the Vale dos Vinhedos Denomination of Origin



Source: Falcade e Tonietto, 2010

CHARACTERIZATION OF WINERIES AND FAMILY FARMERS

Regarding family and property structure, changes have occurred over the years. The pioneers had properties measuring an average of 12 hectares, and families consisted of 10 to 15 children. Currently, the average size of properties has decreased, as has the number of family members. Table 3 presents this reality, as well as the participation of activities in family income.

Table 3 | Family composition and distribution of vineyard areas, of family wineries in Vale dos Vinhedos, Bento Gonçalves-RS.

Family and area	Family income
Family members on the property (people) – 6.55	Income from viticulture (%) – 40.56
Total area (ha) – 7.46	Non-agricultural income (%) – 18.44
Area of vines (ha) – 4.72	Family wine income (%) – 40.33
Area of American/hybrid vines (ha) – 2.78	Agricultural income (%) – 0.67
Area of vines (ha) – 1.80	
Area of table grapes (ha) – 0.14	

Source: authors, 2023.

Family labor has undergone transformations due to the decrease in family members (Schneider, 2006b). Currently, most families hire day laborers for specific jobs, such as pruning and harvesting grapes, or even for work in wineries.

Viticulture and oenology are deeply rooted in the culture of immigrants, who brought with them the habit of cultivating vines and producing wine for their own consumption, and have now become the economic basis of the properties. In the case of FWs, a large part of the grape production is destined for the production of wines and wine derivatives, as presented in Table 3.

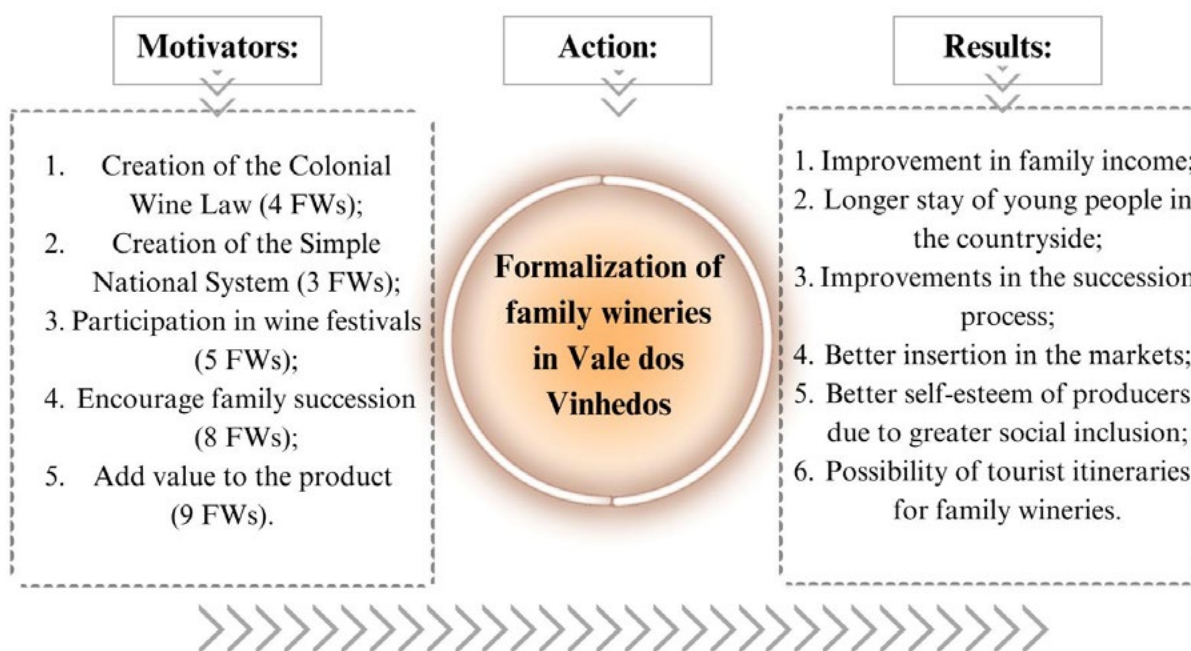
Regarding the families' current income sources, it was observed that income from grape production still predominates, followed by wine sales, and income from external work. The sale of other agricultural products is incipient. Each property presents a different reality in terms of revenue generation, but it is clear that wine-growing income is practically in balance with wine and grape derivatives sales income, in the family income composition.

FWs are part of agro-industry and play a crucial role in increasing family income (Júnior et. al, 2009). The author also states that adding value to production reduces the socioeconomic vulnerability of farmers, promotes the diversification of properties and establishes a relationship of trust between the producer and the final consumer, providing exclusive and practically personalized goods and services.

MOTIVATIONS FOR FORMALIZING FAMILY WINERIES AND RESULTS ACHIEVED

The increase in family income through the sale of wines and grape derivatives was due to the legalization of these wineries in Vale dos Vinhedos, a fact that was part of the dreams of these winemakers. However, in addition to the desire to formalize, other factors stand out that contributed to the effective registration of these enterprises with MAPA, complying with all existing health, economic and environmental legislation, as shown in Figure 2.

Figure 2 | Motivations for formalizing family wineries in Vale dos Vinhedos and results achieved.



Source: authors, 2023.

It can be observed that the main motivations for registering and legalizing VFs with the competent entities were, firstly, the desire to add value to the grapes produced, mentioned by all FWs. Secondly, concern about family succession was mentioned in eight cases. Thirdly, the fact that they participated in the Colonial Wine Festival, promoted by the official rural extension entities, Embrapa Grape and Wine and the Municipal Government of Bento Gonçalves, was also relevant. Law 12.959/14 and the Simples Nacional were also important, but on a slightly smaller scale.

Law 12,959 of 2014 made FW more competitive, as the agribusiness industry now only pays 1.5% of the revenue from the Producer's Tax Invoice. However, this law limits the sale of grape-derived products, only allowing direct sales to the end consumer and requiring that the grapes be produced in-house. In contrast, as of 2018, wine was included in the list of products benefiting from the Simples Nacional tax option, with rates ranging from 4% to 10.7% of the winery's revenue, depending on revenue. FWs that opted for Simples Nacional now have the right to sell anywhere, supplying markets, restaurants and other commercial establishments, in addition to being able to outsource processes and buy part of the raw material from other family farmers.

In 2018, FWs registered with MAPA with CPF began to migrate to CNPJ to take advantage of the benefits of Simples Nacional. At the time of this study, all nine Family Wineries in Vale dos Vinhedos had been registered with MAPA with CPF, and eight of them had migrated to registration with CNPJ. This migration was mainly motivated by the possibility of selling products to any individual or commercial establishment, outsourcing production processes, purchasing raw materials from other family farmers and facilitating the shipment of products sold to other states of the federation through the issuance of invoices. However, the tax on products sold was slightly higher compared to the social contribution discount for sales with a rural producer's receipt in the case of winery registration with a CPF, although it is still lower than the Presumed Profit, which is applied to companies that do not qualify for the Simples Nacional, or the Real Profit, which is applied to traditional companies with high revenue.

The FWs of Vale dos Vinhedos are working together to develop a tourist itinerary of the family wineries of Vale dos Vinhedos. In addition to strengthening the family tourism sector, this networking aims to attract tourists to unique experiences that refer to the traditions of Italian



immigration. Wine is the main attraction, but personalized service and the opportunity for visitors to learn about all stages of winemaking are key factors in attracting and retaining new customers.

The positive results of formalization can be observed in several dimensions of FWs, as demonstrated in Figure 2. Some of the main results are:

- a) **Improvement in family income:** The legalization of family agro-industries has improved family income, as legalization allows these agribusinesses to have access to financing, incentive programs and technical assistance, which can increase the productivity and quality of products, in addition to enabling sales to larger markets. Furthermore, legalization also guarantees the legal and health security of activities, which can attract more customers and consumers. Therefore, the legalization of family agro-industries can have a significant impact on improving family income (Karnopp, et al., 2019; Diniz, 2019). In the cases analyzed, the improvement in income occurred especially due to: access to formal markets; access to credit and government incentives; improvement in product quality; increased scale of marketing and better prices.
- b) **Longer stay of young people in the countryside and improvements in the succession process:** The legalization of family agribusinesses can be an important factor for young people to remain in the countryside, as Dos Anjos and Caldas (2015) highlighted. After formalization, rural youth in FWs realized that family enterprises, associated with the aggregation of value, can increase their income through goods and products sold directly to the end consumer, while remaining in the countryside. PEAFF's public policy, together with the support of numerous partner entities, made it possible to legalize FWs and encouraged young people to remain in or return to the countryside. When family agroindustrial activity is legalized, it can provide access to credit and financing, improving the capacity to invest in infrastructure, technology and modern equipment. It can also enable participation in government incentive programs and access to broader markets, favoring the flow of production and increasing income. This encourages young people to remain in the countryside, offering prospects for professional growth and the continuity of a family business. The possibility of developing a sustainable, economically viable and legalized activity attracts the next generation of farmers, who see agro-industries as an opportunity to stay in the countryside and guarantee their livelihood. However, it is important to emphasize that legalization is not the only determining factor for young people to remain in the countryside. Other issues, such as access to education, health services, rural infrastructure, quality of life and local development policies, also play fundamental roles in this scenario (Breitenbach; Corazza, 2021; Breitenbach; Dallagnol; Troian, 2023; Breitenbach; Foguesatto, 2023).



- c) Better insertion in the market and improved self-esteem for producers due to greater social inclusion: By becoming legal, family wineries began to comply with all standards and regulations required by local and international authorities. This includes health, food safety, tax and product quality issues. By meeting these requirements, wineries became eligible to sell their products in different formal markets, including broader and more regular distribution channels. They can market their wines in supermarkets, specialty stores, restaurants and export to other countries, which increases their visibility and reach in the market. In addition, with legal status, family wineries began to participate in industry events and fairs, which enables networking, exchange of experiences, increased brand visibility and the establishment of commercial partnerships. Legalization has also contributed to a more solid and trustworthy image among consumers and business partners. This can result in an increase in demand for products from family wineries and an improvement in producers' self-esteem.
- d) Possibility of a FW tourist itinerary: A tourist itinerary, developed in partnership between the family wineries of Vale dos Vinhedos, is a project by farmers that can bring several advantages to both them and visitors. Além de proporcionar uma experiência autêntica e personalizada, este roteiro oferece aos turistas a oportunidade de conhecer a cultura e as tradições locais, degustar vinhos exclusivos e aprender sobre o processo de produção. When visiting family-owned wineries, tourists have access to privileged information about the history of the region and its production methods, as well as establishing direct contact with the producers and their families. This makes the experience even more enriching and unforgettable. It can be highlighted that family wineries are located in a territory that is already consolidated in terms of wine tourism and, at the same time as they can take advantage of an existing flow, they also contribute to strengthening this territory, bringing more attractions. Besides, the tourist itinerary project promotes an arena for discussion that favors the engagement of actors, the formation of networks and the strengthening of the category, which contributes to endogenous development and is the basis of an active territoriality (Fauré; Hasenclever, 2007; Saquet, 2006).

These positive aspects are not exclusive to the case studied. Diniz et al. (2019) had already found that, after the legalization of family agribusinesses, there was an increase in sales and profits, improvements in the workspace, greater safety in the transportation of products and greater appreciation and credibility. All of this shows the importance of the policy established and its potential to contribute to local development.



Considering the pillars of local development proposed by Fauré and Hasenclever (2007), it can be concluded that the normative evolution for family wineries acts to value territorial resources that already existed, whether in terms of natural resources (endogeneity) or human action in the territory (territoriality), and strengthens institutions, considering relationships and also the creation of new associative forms and joint programs - such as the proposed tourist itinerary. The importance of strengthening institutions (formal and informal) for local development is highlighted, promoting joint strategic reflection that takes into account factors that are different from the identity of the actors, in addition to fostering the exchange of knowledge and dynamics that contribute to learning and innovation in products and processes (Abramovay, 2003; Pecqueur, 2005). These elements contribute to the appropriation of territorial value by actors, contributing to territorial competitiveness and its sustainability (Flores, 2015b). All of this can be observed in the Vale dos Vinhedos territory and has the potential to be replicated in other territories, with the expansion of the coordinated actions of actors and institutions.

CONCLUSIONS

The FW legislation, together with the reformulation of the adaptations of the installation requirements of the enterprises, which are included in the guide for the formalization of colonial wines (2017) and which were adapted to family farming, created the necessary conditions for the registration of these wineries. It is important to note that all health, environmental and tax standards are provided for and audited at the time of assessment of the project to obtain the MAPA health permit. It is also important to note that all the regulations regarding construction, obligations and production processes contained in the Good Manufacturing Practices Manual were discussed and agreed upon with MAPA and SEAPI, which are responsible for the registration and inspection of FWs, respectively.

Taking advantage of the legislation that is appropriate for family farming, numerous winegrowers have become interested in renovating or building facilities to register their wineries, through the incentives and benefits offered by PEA. This program is part of the public policies of the state of Rio



Grande do Sul, managed by SDR and executed by Emater/RS, and has already been consolidated as an important support for rural development and income generation for rural families.

This study concludes that public policies for legalizing family wineries meet the demands of this public, creating conditions for the registration of this type of enterprise. However, the legalization process requires significant investment in both construction and process adaptation, which is an obstacle to modernizing the structure and increasing competitiveness.

For legalization, the recognition and dependence of these FWs on the support of entities that serve these farmers and existing public policies was explicit. Entities such as Emater/RS, SEAPI, SDR, MAPA, IFRS/BG, Embrapa Grape and Wine, among others, and public policies such as PEAFF, PRONAF, Sabor de Bento label, among others, are fundamental conditions for the registration and survival of these enterprises.

Some relevant and positive factors were also identified that are present in all FW families, including: a) Keeping young people in the countryside, in all FWs studied the businesses are being run by young people; b) Return to the properties of children of producers who were working in the city and envisioned generating income by registering the FWs; c) Concern for integrated work among FWs to offer goods and services that attract tourists; d) Promotion and organization of a tourist route of family wineries in Vale dos Vinhedos.

The legalization of FWs proved to be fully viable, adding value to wine production, allowing young people to return to or remain in the countryside, and contributing to local development. However, there was a need for joint work among family wineries to compete with the traditional wine market. The solution found by winemakers was to organize a tourist itinerary for these FWs, working with the existing assets and territorial resources identified in this research.

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